

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: David P. Andrew, Brian A. Zabel and Paul D. Ponath

Serial No.: 09/522,752

Group Art Unit: 1643

Filed: March 10, 2000

Examiner: Not Assigned

For: Anti-GPR-9-6 Antibodies and Methods of Identifying Modulators of
GPR-9-6 Function

| | |
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| CERTIFICATE OF MAILING | |
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 | |
| on | 9-20-00 Sandra Jammul |
| Date | Signature |
| Sandra Jammul | |
| Typed or printed name of person signing certificate | |

TRANSMITTAL OF SEQUENCE LISTING AND
PRELIMINARY AMENDMENT

Box Sequence
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Although a Notice to Comply with Sequence Rules 37 C.F.R. §§1.821-1.825 has not been received in our offices, transmitted herewith is a copy of the "Sequence Listing" (sheets 1/8 through 8/8) in paper form for the above-identified patent application as required by 37 C.F.R. §1.821(c) and a copy of the "Sequence Listing" in computer readable form as required by 37 C.F.R. §1.821(e). As required by 37 C.F.R. §1.821(f), Applicant's Agent hereby states that the content of the "Sequence Listing" in paper form and the computer readable form of the "Sequence Listing" are the same and, as required by 37 C.F.R. §1.821(g), also states that the submission includes no new matter.

Applicant's Agent submits the following amendment to comply with 37 C.F.R. §1.821:

In the Specification

Please insert the attached "Sequence Listing" (sheets 1/8 through 8/8), comprising SEQ ID NOS: 1-15, into the above-referenced application.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Robert H. Underwood

Robert H. Underwood

Registration No. 45,170

Telephone (781) 861-6240

Facsimile (781) 861-9540

Lexington, Massachusetts 02421-4799

Date: *September 20, 2000*

FORMALITIES LETTER



OC000000005106858

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/522,752 | 03/10/2000 | David P. Andrew | 1855.1064-003 |

Helen E Wendler
Hamilton Brook Smith & Reynolds PC
Two Militia Drive
Lexington, MA 02421-4799



Date Mailed: 05/10/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$2976.
 - \$1026 for 57 total claims over 20.
 - \$1950 for 25 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 3796.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

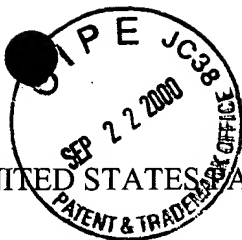
PART 2 - COPY TO BE RETURNED WITH RESPONSE

09/25/2000 HND001 00000004 09522752

| | | |
|-----------|---------|----|
| 01 FC:101 | 690.00 | OP |
| 02 FC:102 | 1950.00 | OP |
| 03 FC:103 | 1026.00 | OP |
| 04 FC:105 | 130.00 | OP |

5/9/00 5:37 PM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



#3

Applicants: David P. Andrew, Brian A. Zabel and Paul D. Ponath
Application No.: 09/522,752 Group: 1643
Filed: March 10, 2000 Examiner: Not Assigned
For: Anti-GPR-9-6 Antibodies and Methods of Identifying Modulators of
GPR-9-6 Function

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| CERTIFICATE OF MAILING | |
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 | |
| on | 9-2000 Sandra Jammal |
| Date | Signature |
| Sandra Jammal | |
| Typed or printed name of person signing certificate | |

REQUEST FOR CORRECTED FILING RECEIPT
FOR UTILITY APPLICATION

Office of Initial Patent Examination
Customer Service Center
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

We hereby request that the following items of information be corrected in the Filing
Receipt for the subject application received in this office on May 15, 2000.

A concurrently filed Declaration/Power of Attorney is submitted herewith.

The errors and corrections appear below.

In the Applicant(s) section please add the residence of the inventors as follows:

David P. Andrew, Waltham, MA;

Brian A. Zabel, Stanford, CA;

Paul D. Ponath, San Francisco, CA

The Title should read:

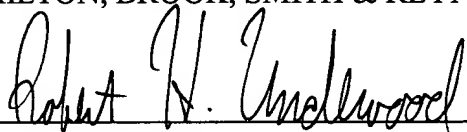
Anti-GPR-9-6 Antibodies and Methods of Identifying Modulators of GPR-9-6 Function

Enclosed are a copy of the Filing Receipt with changes noted in red, and copies of the executed Declarations/Powers of Attorney.

Pursuant to instructions in the February 29, 2000 O.G., we hereby request that the errors which are identified above be corrected in the captioned application to which this request for correction is directed. It is understood that the Patent Office will issue an automatically-generated, corrected Filing Receipt in this and, if applicable, any other affected applications.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 

Robert H. Underwood

Registration No.: 45,170

Telephone: (781) 861-6240

Facsimile: (781) 861-9540

Lexington, MA 02421-4799

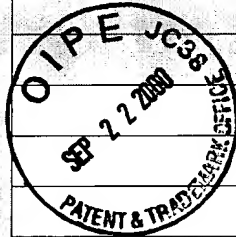
Date: *September 20, 2000*

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

| | | |
|--|------------------------|-----------------|
| FEE TRANSMITTAL FOR PATENT APPLICATIONS | Attorney Docket Number | 1855.1064-003 |
| | Application Number | 09/522,752 |
| | First Named Inventor | David P. Andrew |

CLAIM CALCULATION (includes any preliminary amendment)

| CLAIMS | (1) FOR | (2) NUMBER FILED | (3) NUMBER EXTRA | (4) RATE | (5) CALCULATIONS |
|--------|--|------------------|---------------------|---|------------------|
| | TOTAL CLAIMS <small>(37 CFR 1.16(c) or (j))</small> | 77 - 20* = | 57 | x \$ 18 = | \$ 1026 |
| | INDEPENDENT CLAIMS <small>(37 CFR 1.16(b) or (i))</small> | 28 - 3** = | 25 | x \$ 78 = | \$ 1950 |
| | MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d)) | | | + \$ 260 = | \$ |
| | | | | BASIC FEE <small>(37 CFR 1.16(a) or (h))</small> | \$ 690 |
| | | | | Total of above Calculations = | \$ 3666 |
| | | | | Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) = | \$ |
| | | | | TOTAL = | \$ 3666 |
| | | | | Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) = | \$ 130 |
| | | | | Petition for Extension of Time Fee (37 C.F.R. 1.17) = | \$ 870 |
| | | | | Assignment Recordation Fee = <small>(only when filed with application)</small> | \$ |
| | | | | TOTAL = | \$ 4666 |



1. Small entity status:

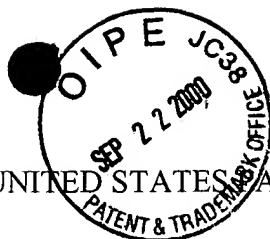
- a. ☐ A small entity statement is enclosed.
- b. ☐ A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.

2. ☒ A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

3. ☒ A check is enclosed for \$4666.00. ☐ Please charge \$[] to Deposit Account No. 08-0380.

4. ☐ Other: _____

| | | | |
|---------------------------------------|----------------------------|-------------|---------------------------|
| Signature | <i>Robert H. Underwood</i> | Date | <i>September 20, 2000</i> |
| Submitted by Typed or Printed Name | Robert H. Underwood | Reg. Number | 45,170 |



#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: David P. Andrew, Brian A. Zabel and Paul D. Ponath

Application No.: 09/522,752

Group: 1643

Filed: March 10, 2000

Examiner: Not Assigned

For: Anti-GPR-9-6 Antibodies and Methods of Identifying Modulators of GPR-9-6 Function

| | |
|---|----------------------|
| CERTIFICATE OF MAILING | |
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 | |
| on <u>9-20-00</u> | <u>Sandra Jammal</u> |
| Date | Signature |
| <u>Sandra Jammal</u> | |
| Typed or printed name of person signing certificate | |

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In reply to the Notice to File Missing Parts dated May 10, 2000, the following documents and fees are being submitted for filing in the captioned application:

- [X] **EXECUTED DECLARATION/POWER OF ATTORNEY** - A copy of the Notice is attached.
(Separate transmittal letter and postcard not required)
- [X] **FILING FEE** - with Fee Transmittal for Patent Applications in duplicate.
(Separate transmittal letter and postcard not required)
- [X] **SURCHARGE** - surcharge fee of \$130.00.
(Separate transmittal letter and postcard not required)
- [X] **SEQUENCE LISTING** - Filed concurrently and is attached.
(Separate transmittal letter and postcard required)

[X] PETITION FOR EXTENSION OF TIME

[X] Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated May 10, 2000 for three months from July 10, 2000 to October 10, 2000. The appropriate fee of \$870.00 is included in the enclosed check.

[] A **[]** month extension of time to respond to the Notice to File Missing Parts dated **[]** was filed on **[]** with payment of a \$**[]** fee.

[] Applicant hereby petitions for an additional **[]** month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$**[]** is included in the enclosed check.

(Separate Petition for Extension of Time and postcard not required)

[X] REQUEST FOR CORRECTED FILING RECEIPT - Filed concurrently and is attached.

(Separate transmittal letter and postcard required)

[] VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS

[] Was filed on **[]**.

[] Is enclosed herewith.

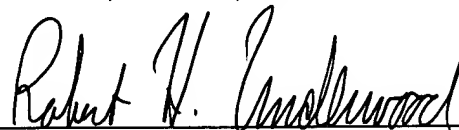
(Separate transmittal letter and postcard not required)

[] In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$**[]** which were paid on **[]** to be deposited in Deposit Account No. 08-0380.

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of \$4666.00. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 

Robert H. Underwood
Registration No.: 45,170
Tel.: (781) 861-6240
Fax: (781) 861-9540

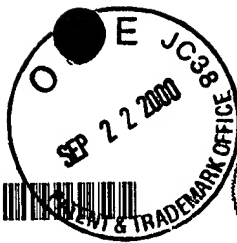
Lexington, Massachusetts 02421-4799

Date: *September 20, 2000*

FILING RECEIPT



OC000000005106857

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark OfficeAddress: ASSISTANT SECRETARY AND
COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLAIMS | IND CLAIMS |
|--------------------|-------------|--------------|---------------|-----------------|----------|------------|------------|
| 09/522,752 | 03/10/2000 | 1643 | 0 | 1855.1064-003 | 25 | 77 | 28 |

Helen E Wendler
Hamilton Brook Smith & Reynolds PC
Two Militia Drive
Lexington, MA 02421-4799

Date Mailed: 05/10/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

David P. Andrew, ~~Residence, NOT PROVIDED;~~
 Brian A. Zabel, ~~Residence, NOT PROVIDED;~~
 Paul D. Ponath, ~~Residence, NOT PROVIDED;~~

waltham, MA;
 Stanford, CA;
 San Francisco, CA;

Continuing Data as Claimed by Applicant

THIS APPLICATION IS A CIP OF 09/266,464 03/11/1999

Foreign Applications

If Required, Foreign Filing License Granted 05/09/2000

-

Title

Anti-GPR-9-6 antibodies and methods of identifying modulators of GPR-9-6 functions

Preliminary Class

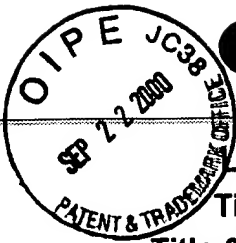
435

Data entry by : JACKSON, NATALIE

Team : OIPE

Date: 05/10/2000





**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, DC 20231